

2828

41



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: MARGALIT=1A

In re Application of:) Art Unit: 2881
Moti MARGALIT et. al.)
) Examiner: LEUNG, Q.
)
Appln. No.: 09/946,138) Washington, D.C.
)
Date Filed or 102(e) date:)
September 5, 2001) Confirmation No. 3314
)
For: MULTISEGMENT INTEGRATED) January 6, 2004
LASER AND A METHOD FOR...

REQUEST FOR SUBSTITUTE OFFICE ACTION

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

This is not a response to the Office Action of
October 6, 2003.

This is a request that the Examiner provide a translation of the Japanese reference document that is being relied upon to support rejections made in the previous action.

In that action, the Examiner made specific reference to a portion of the Japanese language document appearing on a page numbered 179.

Pursuant to MPEP 706.02, in the section entitled RELIANCE UPON ABSTRACTS AND FOREIGN LANGUAGE DOCUMENTS IN SUPPORT OF A REJECTION,

"If the document is in a language other than English and the Examiner seeks to rely on that document, a translation must be obtained so that the record is clear as to the precise facts the Examiner is relying upon in support of the

TECHNOLOGY CENTER 2800

JAN - 9 2004

RECEIVED

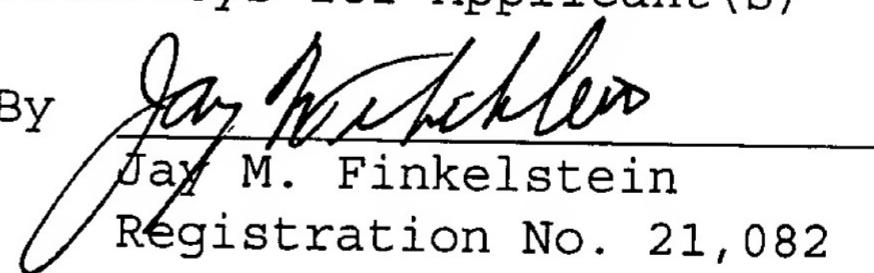
rejection. The record must also be clear as to whether the Examiner is relying upon the abstract or the full text document to support a rejection."

The cited section of the manual also points out that a translation must be obtained because it is possible that "the full text document will include teachings away from the invention that will preclude an obviousness rejection...". Thus, since in the present case, the Examiner is specifically relying on the full text document, and not simply the abstract, a translation of the document must be obtained and, of course, in order for the record to be clear, applicant must be provided with a copy of that translation.

Accordingly, it is requested that a translation of the Japanese language reference be provided in a new Office Action setting a new period for response.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 

Jay M. Finkelstein
Registration No. 21,082

JMF:mch

624 Ninth Street, N.W.
Washington, D.C. 20001

Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528

G:\BN\C\cohn\Margalit1A\PTO\Req for Sub OA 06 JAN 04.doc